

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6915

BILL NUMBER: SB 265

NOTE PREPARED: Feb 1, 2010

BILL AMENDED: Feb 1, 2010

SUBJECT: Resisting Law Enforcement and License Suspension.

FIRST AUTHOR: Sen. Arnold

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides that the driver's license of a person convicted of resisting law enforcement while using a vehicle and (1) exceeding the speed limit by at least 20 miles per hour; (2) committing criminal recklessness; or (3) engaging in aggressive driving with a vehicle; may be suspended for one year after the date the person is convicted (if the person is not incarcerated) or released from incarceration for a first offense, and two years for a second or subsequent offense. The bill specifies in which court a petition for a hardship license must be filed. It requires the court to notify the Bureau of Motor Vehicles (BMV) of the person's conviction, and specifies that the convicted person has the burden of applying for a new or renewal license and establishing that the one-year or two-year period has elapsed.

Effective Date: July 1, 2010.

Explanation of State Expenditures: For the BMV, the suspensions required in this proposal will be handled under current suspension procedures and will require no additional expenditures on the part of the BMV. The fund affected is the Motor Vehicle Highway Account, which supports the BMV. The BMV has averaged about 328,000 suspensions annually for the period CY 2004 through CY 2008.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: BMV.

Local Agencies Affected: Courts.

Information Sources:

Fiscal Analyst: James Sperlik, 317-232-9866.